

Introduces Legislation to Create U.S. District Court Judgeships

WASHINGTON, D.C. – Today, Congressman Kevin McCarthy introduced legislation (H.R. 2961) to create four new permanent district court judgeships and one temporary district court judgeship in the U.S. District Court for the Eastern District of California. Additionally, the legislation would designate Bakersfield, California as eligible to be a place of holding court for the U.S. District Court of the Eastern District of California. Joining Congressman McCarthy in introducing this legislation are Congressmen Dan Lungren (CA-03), Buck McKeon (CA-25), Devin Nunes (CA-21), Wally Herger (CA-02), George Radanovich (CA-19), and Tom McClintock (CA-04).

Congressman Kevin McCarthy (CA-22) issued the following statement:

“Action is needed to increase the number of local federal judges and improve the access of our local residents from the increasingly sluggish and overworked Federal Courts. This is not just our view-the Judicial Conference of the United States also makes this straight-forward recommendation. I look forward to working with my California colleagues to move this bill forward.”

Congressman Dan Lungren (CA-03) issued the following statement:

“The Eastern District is a most worthy venue for designation as a place of holding court. Depending on the caseload, this legislation would enable a judge to be located in the southern region of the district in order to meet the demands of the administration of justice.”

Congressman Howard “Buck” McKeon (CA-25) issued the following statement:

“Under the current standards in the Eastern District, the demands on the area’s court system far exceed the capability to cover the case load. This bill offers proactive movement for lessening the burden on individual judges, thereby improving overall quality of the judicial structure.”

Congressman Devin Nunes (CA-21) issued the following statement:

“The facts are clear and they are compelling. We need permanent additions to the bench in the Eastern District of California. I hope my colleagues in Congress will agree and look forward to the adoption of this important bill.”

Congressman Wally Herger (CA-02) issued the following statement:

“An overworked roster of judges will slow and impair our justice system. We need to increase the number of judges to accommodate the increasing caseload in the Eastern District and I hope that my fellow Members of Congress will act quickly to pass this important and reasonable legislation.”

Congressman George Radanovich (CA-19) issued the following statement:

“This legislation will ease the strain currently placed on the Eastern District and provide the judgeships necessary to mitigate California’s judicial demands. I look forward to working with my colleagues to pass this legislation and create a more expedient judicial environment for the citizens of California. ”

Congressman Tom McClintock (CA-04) issued the following statement:

“This action will help make the administration of justice more efficient for the residents of the Eastern District of California. One of our basic constitutional rights is the right to a speedy trial, and this important legislation will help accomplish that.”

Background:

The bill would accomplish two goals. First, it creates new district court judgeships (four permanent and one temporary) in the U.S. District Court for the Eastern District of California. Second, it designates Bakersfield, California as a “place of holding court” for the Eastern District of California.

1. New federal judgeships are needed because:

- For the year ending September 30, 2008, the Eastern District had:
- 1,305 pending cases per judge, a 50.2% increase since 2003; and,
- 970 weighted filings per judge, a 26.5% increase since 2003, which is well above the standard used by the Judicial Conference to determine when an additional judgeship is needed;
- In 2008, the Eastern District had the highest number of pending cases and weighted filings per judge than all other district courts in the Ninth Judicial Circuit, including the district courts that serve Los Angeles and San Francisco. This also includes the judicial districts in Arizona, Idaho, Montana, Oregon, and Washington, which are part of the Ninth Judicial Circuit; and,
- In March 2009, the Judicial Conference voted to recommend that Congress create new federal judgeships. This proposal specifically recommended the Eastern District of California receive four additional permanent judgeships and one temporary judgeship.

2. A “place of holding court” designation in Bakersfield is needed because it would:

- Provide the Eastern District the ability to locate one judge in the southernmost area (Bakersfield) to help with the administration of justice in this sprawling judicial district; and,
- Provide geographical and population equity for Bakersfield (pop. 315,837) compared with other cities in the Eastern District with a designation, which are Redding (pop. 89,780) in the north, Sacramento (pop. 460,242) in the north central region, and Fresno (pop. 470,508) in the south central region of the Eastern District.

General Background:

- The U.S. district courts are the trial courts (both civil and criminal) of the federal court system.
- The Eastern District currently has four permanent district court judges.
- The Eastern District is the 8th most populous and the 10th physically largest (87,000 square miles) of all 94 U.S. district court judicial districts.
- The Eastern District of California, part of the Ninth Judicial Circuit, serves the following counties in whole or in part: Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Glenn, Butte, Sierra, Colusa, Sutter, Yuba, Nevada, Yolo, Sacramento, Placer, El Dorado, Amador, Alpine, Calaveras, Solano, San Joaquin, Contra Costa, Stanislaus, Tuolumne, Mono, Mariposa, Merced, Madera, Fresno, Inyo, Tulare, Kings, and Kern.
- A place of holding court designation enables the Eastern District of California to locate a federal district court judge in cities with such as designation.

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